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Committee on Economic, Social and Cultural Rights

Sixty-fourth session

Summary record of the 46th meeting

Held at the Palais des Nations, Geneva, on Thursday, 4 October 2018, at 3 p.m.

Chair: Ms. Bras Gomes

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The meeting was called to order at 3 p.m.

Consideration of reports

(a) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant (*continued*)

Initial report of Cabo Verde (*continued*) (E/C.12/CPV/1)

1. *At the invitation of the Chair, the delegation of Cabo Verde took places at the Committee table.*

2. **Ms. Ravenberg** (Country Task Force) said that she would be grateful for figures on poverty among children and in rural areas, and asked whether the National Programme for the Fight against Poverty mentioned in paragraph 160 of the State party's report had been evaluated, what results it had achieved and what follow-up had been given to it.

3. While the housing programme "Home for All" (Casa para Todos) represented a significant step forward, the Special Rapporteur on adequate housing had noted that it did not appear to be accessible to the poorest and most vulnerable members of society, who often could not keep up with utility bills and charges for the maintenance of communal areas and facilities. The Special Rapporteur had also identified an increase in the number of informal, unplanned settlements that lacked adequate services, issues concerning security of tenure and a risk of illegal eviction and demolition. She wished to know whether programmes carried out within the framework of the National Social Housing System, including Home for All, had been assessed to ensure that a greater proportion of technical and financial resources were directed towards upgrading existing homes and housing units, whether the services available in informal settlements had also been evaluated, whether housing policies were being adapted in response to those evaluations and what was being done by the Government to ensure that diverse forms of tenure were protected and that housing options for low-income households were expanded in a manner that took into account location and long-term affordability and sustainability.

4. Noting that according to paragraph 178 of the State party report, the water supply in 8.6 per cent of households was drawn from sources considered to be non-potable, she asked what steps were being taken to supply safe drinking water to all households, especially those in rural areas.

5. Article 12 of the Covenant, read in conjunction with article 2, required the State party to guarantee the enjoyment of the right to the highest attainable standard of physical and mental health without discrimination of any kind. As elaborated by the Committee in its general comment No. 14 (E/C.12/2000/4), that obligation included ensuring non-discrimination in the availability, accessibility, acceptability and quality of health care. The Committee had received reports that interviews undertaken by non-governmental organizations and studies conducted by researchers had identified persistent stigma and discrimination in access to health care for persons living with HIV. It would be interesting to know what measures were being taken to address the stigma and discrimination that prevented certain groups, including persons living with HIV, from accessing and enjoying health care without discrimination.

6. According to reports brought to the Committee's attention, information in Braille was not generally available in health-care facilities, women with disabilities could not enjoy their sexual and reproductive rights on an equal basis with other women because of a lack of appropriate training among medical staff, there was no access ramp to the rehabilitation centre on the island of São Vicente and such centres for persons with disabilities had been opened on only two islands. The delegation should describe the measures being taken to combat discrimination in the delivery of both public and private health-care services and to ensure that reasonable accommodation was provided.

7. Women victims of gender-based violence also allegedly had difficulty in accessing health care, partly because medical staff had not been adequately trained in how to recognize, treat and report such violence. She asked what was being done to ensure that

medical professionals received specialized training that would enable them to provide appropriate care to all persons without discrimination.

8. The Committee had been informed that, despite the opening of new health facilities and the recruitment of medical personnel, the provision of care remained an issue on some islands. There had been many complaints about a lack of inter-island transportation for patients and about delays in the decision-making process for internal and external evacuations, which had reportedly led to deaths. It would be helpful to know what steps were being taken to ensure the timely treatment, inter-island transportation and evacuation of patients throughout the country.

9. According to reports, there was a lack of adequate mental health facilities, as a result of which some people with mental illness were living on the streets, while others were kept at home by family members. The delegation should explain what steps were being taken to guarantee that people with mental illness could enjoy the right to the highest attainable standard of physical and mental health without discrimination of any kind.

10. **Ms. Santos Lélis** (Cabo Verde) said that the Government had adopted a national plan to tackle child abuse and exploitation, with a focus on prevention, punishment and support for victims, and that initiatives were being undertaken to raise awareness of the risks faced by children and of how signs of abuse could be detected.

11. Thanks to legislative amendments and the adoption of a new Civil Code in 2014, problems related to birth registration had been practically eradicated. Newborns could no longer be discharged from hospitals or health centres, where 98 per cent of births occurred, without being registered.

12. The National Institute for Children and Adolescents carried out constant monitoring of child labour and had disseminated a list of the worst forms of such labour. The General Directorate of Labour investigated any possible cases of abuse. Furthermore, the Government had drawn up a family empowerment programme that included a care plan aimed at protecting children from exploitation by integrating them into State preschool education and giving their mothers access to income-generating activities. In Cabo Verde, there was an expectation that children should contribute to their families' livelihoods. Consequently, many children engaged in some form of economic activity, but that had no impact on their school attendance.

13. The Home for All programme was designed to cater to different income groups. Of the three categories of dwellings covered by the programme, one was reserved for the poorest and most vulnerable members of society. In addition, 5 per cent of new builds had been constructed specifically for persons with disabilities.

14. Public money was being invested in water production and desalination, and the Millennium Challenge Corporation had played a vital role in overhauling the water industry in the country. Efforts were being made to improve access to water in rural areas by connecting properties to the national water grid.

15. Since Cabo Verde was an archipelago, health structures had to be duplicated in order to ensure coverage in all parts of the country. There were two central hospitals on the most highly populated islands and, over the years, other facilities had been built to improve the provision of health care. A recruitment drive was under way to address shortfalls in the numbers of specialist doctors and nurses, but problems in that area were expected to persist, at least in the short term.

16. A law had been adopted to strengthen the monitoring of accessibility standards in the public and private sectors. Recently built educational and medical facilities met those standards, but some older structures would need to be adapted. The Trindade psychiatric hospital in Praia offered consultations for persons with mental disorders. Patients could be transferred to the hospital from other islands if they needed to be institutionalized.

17. The two central hospitals, on the islands of Santiago and São Vicente, were the institutions with the greatest capacity and number of specialized doctors. The cost of all inter-island transfers to the hospitals was borne by the State. In recent times, there had been some changes to the air transport system in the country. Previously, a State-owned

enterprise had been responsible for inter-island transfers. The company that had replaced it had struggled at first because of the security requirements that applied to such transfers. However, the Government had, as an emergency measure, rented an aircraft to ensure that medical transfers could go ahead as normal. The determination of whether a transfer was necessary was entrusted to a medical board.

18. **Ms. Liebenberg** said that, as she understood it, although same-sex relationships were not criminalized in the State party, there was no legal framework for their recognition. She asked whether that was true and, if so, whether there were any plans to establish one.

19. Noting that the State party had been hit by several natural disasters, including Hurricane Fred in 2015, she asked what procedure was in place for evacuation and relocation, what mechanisms had been developed for disaster risk reduction and to what extent and how the State party had contributed to the Sendai Framework for Disaster Risk Reduction.

20. **Ms. Ravenberg** said that she wished to know whether legislation on birth registration covered births that did not take place in hospitals.

21. **Ms. Santos Lélis** (Cabo Verde) said that, although the Government had discussed making legal provision for same-sex marriage, no steps had been taken to develop public policies in that area.

22. Following the volcanic eruption on the island of Fogo in 2014 and the subsequent evacuation of residents, the Government was working to protect the island's environment and carry out rebuilding projects. The ongoing reconstruction efforts had been carried out with the participation of the local community, in view of the island's importance as a centre for the production of value-added crops, including grapes used to make wine for export. Contingency and rapid response plans were in place in the event of future volcanic activity on Fogo, or potential seismic activity on the island of Brava. All such activity was closely monitored, although accessing remote areas and relocating people who required evacuation could pose logistical difficulties.

23. Approximately 2 per cent of births did not take place in hospitals, but all children born in Cabo Verde could acquire Cabo Verdean nationality. A system was in place to ensure that birth registration took place in hospitals, and awareness-raising campaigns had been launched to emphasize the importance of birth registration and the consequences of not registering a child's birth for the child's enjoyment of his or her rights.

24. **The Chair** said that it would be useful to know if the Government had a framework law on mental health or any plans to reduce the rate of institutional care and improve community care.

25. **Ms. Santos Lélis** (Cabo Verde) said that there was no such framework law at present. A centre in Praia catered for the mental health needs of the population, but the Government faced budgetary constraints that limited the possibilities for improvements in community care.

26. **Mr. Zerbini Ribeiro Leão** (Country Rapporteur) said that it would be helpful to have further information on how the constitutional right to education was implemented in practice. He would appreciate up-to-date information on access to education at the primary, secondary and tertiary levels, disaggregated by geographic distribution and gender if possible. Moreover, he wished to know whether the amendments to the Basic Educational System Law had been implemented and, if so, what changes had taken place. In addition, he would appreciate specific examples of the content and tangible results of the extracurricular activities referred to in paragraph 230 of the State party's report. He would welcome further information on the structure of the primary and secondary education system. Moreover, it would be useful to know whether the quality of teaching had been maintained during the expansion of the university sector, whether any private universities existed, and whether the Government was able to monitor the quality of education in private establishments.

27. Regarding access to education, he wished to know whether children with disabilities or special educational needs were able to access the necessary and appropriate human and

financial resources at all levels of education. Information on any public policy to address the fact that many Cabo Verdean women had completed only primary schooling would be welcome. In addition, he would appreciate information on any public policies to prevent violence at school, to promote the study of science and to encourage children, particularly those experiencing social or financial difficulties, to stay on at school.

28. He would be grateful for information on the implementation of the right to culture, as defined in article 79 of the Constitution. It would also be useful to have further information on the disputes surrounding the process to make Cabo Verdean Creole an official language.

The meeting was suspended at 3.45 p.m. and resumed at 3.55 p.m.

29. **Ms. Santos Lélis** (Cabo Verde) said that she would provide the Committee with the Government's statistical yearbooks, which contained information on many topics, including education.

30. The number of universities had grown from four to nine since 2000, and a regulatory authority had been established to assess the quality of education in public and private educational establishments. Significant progress had been made in increasing the number of girls who completed their education, and a law had been introduced to provide the necessary support, monitoring and resources for children with disabilities and special educational needs at school. In order to prevent violence in schools, special courses had been developed and security measures had been introduced where necessary to ensure that both teachers and pupils were safe at school. In order to promote the study and teaching of science, it would be necessary to obtain new computer equipment and to provide grants and other funding for researchers and students in science programmes at the tertiary level.

31. The Ministry of Culture and Creative Industries had introduced numerous programmes and initiatives to improve access to culture, increase national pride and promote Cabo Verdean culture. They included providing assistance to the authors' rights organization to help it generate income; allocating funding to artists; investing in theatres and recording studios; granting State subsidies to activities that would attract tourism; establishing municipal libraries and reading rooms; increasing the number of cinema and other audiovisual productions; and protecting cultural heritage sites. The Ministry also wanted to ensure that songs in the morna style, a type of music specific to Cabo Verde, were protected and accessible to the public.

32. The Constitution required the State to promote the conditions in which Cabo Verdean Creole could be given equal status with Portuguese, but, as Creole pronunciation differed significantly between islands, no decision had as yet been taken on which variety of Creole should be used in writing. Further discussion on that subject was needed, but in the meantime the Government was conducting an experiment in providing some education in Creole instead of Portuguese.

33. **Mr. Uprimny** said that, according to information provided to the Committee, the net school enrolment rate had fallen from a respectable 90 per cent to 86 per cent in recent years. The situation was worse for girls, only 68 per cent of whom attended secondary school. Furthermore, the number of dropouts had more than doubled between 2009 and 2016. He would like to know what the reasons behind the trends were and what strategies the State party had in place to reverse them.

34. **Mr. Zerbini Ribeiro Leão** asked whether a policy was in place or planned to address the lack of skilled human resources to work with women and children with disabilities.

35. **Ms. Shin**, noting that one of the reasons behind the increase in the dropout rate among girls was pregnancy, asked whether sexual and reproductive health education was offered in schools and what educational opportunities were available for girls and boys who were not in school.

36. **Mr. Sadi** asked whether the State party was able to cover social expenditure solely through tax revenue and whether it received any international aid. He would like to know if

there were any particularly prevalent disabilities in the State party and would appreciate more detailed information on the situation regarding languages in Cabo Verde.

37. **The Chair** said that the State party's intersectoral strategic development plan on culture was very interesting because it linked culture and economic development, which was quite uncommon. She wished to know whether the updated academic curriculum would cover areas of concern such as sexual and reproductive health and sustainable development, and whether its introduction would go hand in hand with new textbooks.

The meeting was suspended at 4.15 p.m. and resumed at 4.30 p.m.

38. **Ms. Santos Lélis** (Cabo Verde) said that there had been no drop in school enrolment; in fact, it stood at approximately 95 per cent. Previously, pregnant students had had to stop their schooling, but support measures had been put in place in June 2017 to enable them to pursue their education. It was true that more boys dropped out of school than girls, usually because they had reached an age where they could work to help their families. Special programmes, including transportation services, had been rolled out to motivate boys and encourage them to remain in school. A project on inclusion and equality had been piloted in Cidade Velha and had proved successful, so the Government believed it was on the right path.

39. Before being reclassified as a middle-income country, Cabo Verde had received a fair amount of cooperation assistance, notably from the World Bank, but as was to be expected, there had subsequently been a fall in the amount of international aid received by the country.

40. With regard to the language situation in Cabo Verde, Portuguese was the language of education, public life and the media, but the population spoke Creole at home. The Unified Alphabet for the Writing of Creole had been debated at length, but much remained to be done before it was universally accepted. Ultimately, the goal was for all Cabo Verdeans to be able to use the Unified Alphabet.

41. The new academic curriculum included civic, environmental, and sexual and reproductive health education and had a strong component designed to prepare students for entry to the labour market. As for culture, the idea of protecting authors' rights was to ascribe some sort of economic value to local artistic production so that artists could earn a living from their creations. The ultimate aim was to build an arts industry that could become part of the tourism offer and, eventually, be exported.

42. **Ms. Shin** asked whether pregnant girls were segregated from their peers or were allowed to remain in the classroom.

43. **Ms. Santos Lélis** (Cabo Verde) said that pregnant girls followed classes as usual but were granted special leave when necessary.

44. **Mr. Zerbini Ribeiro Leão** said that the Committee's dialogue with the delegation had been extremely frank and open. The Committee was grateful for the information received and looked forward to receiving updated statistical data in writing so that it would be able to draft its conclusions and recommendations more precisely.

45. **Ms. Santos Lélis** (Cabo Verde) said that Cabo Verde was deeply attached to the implementation of economic, social and cultural rights and, while it had some weaknesses on that score, it was committed to doing more to guarantee the effective enjoyment of those rights. Her Government had made a huge effort to clear the backlog of reports to treaty bodies, even though the cost of translation into a United Nations language was a barrier. After a most constructive dialogue, Cabo Verde looked forward to receiving the Committee's concluding observations.

46. **The Chair** said that, now that relations had been established between the Committee and the State party, she would encourage the State party to continue on the path of cooperation with the human rights treaty bodies and to deploy greater and more wide-ranging efforts to implement the Covenant.

The meeting rose at 4.50 p.m.